

Chapter 4



Transition

Arizona Early Intervention Program

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4.0.0 Introduction

4.0.1 Authority: 20 U.S.C. §§1436((d)(8); 1437(9); 34 C.F.R. §§303.209, -.342(d), and (e), -.343(a), -.344(h), and -.401(d) and (e); A.R.S. §8-652

4.0.2 Policy

1. DES/AzEIP is responsible for ensuring the transition requirements under IDEA, Part C through the AzEIP Service Providing Agencies and the network of early intervention providers.
2. The policies and procedures in this Chapter apply to all children eligible for AzEIP so that DES/AzEIP can ensure a smooth transition from early intervention for children in AzEIP and their families:
 - A. at any time the child and family exits from AzEIP; and
 - B. to preschool or other appropriate services for young children at or around the date the child turns three years old.
3. To ensure the specific IDEA, Part C requirements for transition of a child in early intervention to special education services under IDEA, Part B, the Arizona Department of Economic Security (DES) and the Arizona Department of Education (ADE) enter into an Intergovernmental Agreement (IGA) called the Transition IGA. This agreement sets out the responsibilities of DES and ADE and has the following purposes:
 - A. delineate the procedures for the transition of children with disabilities and delays from AzEIP to the Public Education Agency (PEA) for the child;
 - B. ensure families' rights to services for which they are eligible;
 - C. delineate responsibilities of coordination and communication among ADE, DES, AzEIP Service Providing Agencies, early intervention providers and PEAs implementing transition requirements, including as appropriate, joint trainings with other early childhood programs, such as Early Head Start and Head Start, and sharing data as appropriate;
 - D. establish uniformity statewide that will provide coordinated, unduplicated, and a seamless system for serving children ages birth through five with developmental delays or disabilities according to IDEA Parts B and C; and
 - E. encourage cooperation and communication to ensure the provision of a Free Appropriate Public Education by a child's third birthday.
4. It is the responsibility of both the AzEIP Service Providing Agencies and the PEAs to work collaboratively to ensure children who are potentially eligible for Part B receive timely transitions.

4.1.0 Transition from Early Intervention**4.1.1 Policy**

1. Discussions about transition are an ongoing process starting with a child's eligibility for early intervention services through AzEIP. The purpose of transition planning is to help the family transition when early intervention services are no longer needed or

the child transitions to preschool or other early childhood programs on or before the child's third birthday.

2. For children eligible for AzEIP, the provision of a Free and Appropriate Public Education (FAPE) is required no later than the child's third birthday unless the child is no longer enrolled in and eligible for early intervention services.
3. Children are no longer eligible for AzEIP on or after the child's third birthday. Arizona does not use the Individualized Family Service Plan (IFSP) as the Individualized Educational Plan (IEP) for a child with a disability from three years of age to five years of age.
4. It is the responsibility of both the AzEIP Early Intervention Programs and the PEAs to work collaboratively to ensure children who are potentially eligible for Part B receive timely transitions.

4.2.0 Transition Planning Data (February 1 and Sept 15 each year)

4.2.1 Policy

1. AzEIP Early Intervention Programs provide data on the number of children turning three years old to PEAs twice a year for the school's planning purposes. The data does not contain personally identifiable information.

4.2.2 Procedures

1. On or before February 1 of each year, the AzEIP Service Coordinator or the administrative office reports the total number of children with an IFSP who will turn three years of age in the upcoming 16-month period (February through May of the following year).
2. On or before September 15 of each year, the AzEIP Service Coordinator or the administrative office provides an updated report of the total number of children with an IFSP who will turn three years of age between September and May of that school year.
3. The data are reported to the PEA district of residence where the family lives.

4.3.0 Individualized Family Service Plan (IFSP) Meeting Near Child's Second Birthday

4.3.1 Policy

1. While every IFSP meeting discusses transition in an ongoing manner, the AzEIP Service Coordinator facilitates an IFSP meeting closest to the child's 2nd birthday (before or after), such as at an annual or 6 month review with the IFSP team members to update the IFSP, as appropriate, and discusses with the family the following requirements for transition to be completed over the next 9 months:
 - A. all early childhood options available to the family in their community, including preschool special education services through the district of residence, Head Start, private preschools, and child care settings and determine the family's interest in visiting potential programs. If the family is interested in preschool special education services, the team also discusses the program options for the child for

the period from that child's third birthday through the remainder of the school year;

- B. the parent's interest in a Transition Conference, which must be held between the child's age of 2 years, 6 months and 2 years, 9 months (and, at the discretion of all parties, not earlier than 2 years, 3 months of age) and the need for consent to share information with the requested participants (school district, Head Start, family members, child care providers, etc.);
- C. a plan to update vision and hearing screenings;
- D. the IFSP Transition Planning Meeting, which must occur between the time the child is 2 years, 6 months and 2 years, 9 months old (and at the discretion all parties, no earlier than 2 years, 3 months) and may be combined with the Transition Conference);
- E. the AzEIP Service Coordinator's requirement to make an automatic referral (using the PEA Notification/Referral form) of all children potentially eligible for preschool special education services (IDEA, Part B) on or before the child is 2 years, 9 months old, to the PEA and send a copy of the form to the State Education Agency (ADE) within one business day from the referral to the PEA, This referral form includes the child's name, date of birth, and the parents' names, address(es), and phone number(s); and
- F. the parent's right to opt-out of the automatic referral to the PEA no later than the date when the child is 2 years, 8 months of age. A parent opts out of the automatic referral to the PEA by signing the opt-out section of the PEA Notification/Referral form.

4.3.2 Procedures

1. The AzEIP Service Coordinator schedules an IFSP meeting at or around the date the child is two years old (preferably as it naturally would occur as a 6 month IFSP review of annual IFSP meeting).
2. At the meeting, the IFSP is updated as is required for either the six month review or annual IFSP meeting. In addition, the IFSP team shares with the family all the options that are available to the family when their child turns three years old and early intervention ends, including preschool special education services, private preschool, Head Start, child care settings, etc.
3. The AzEIP Service Coordinator tells the family that a referral to the PEA containing the family's name, address, and contact numbers will be made no later than the date the child is 2 years, 9 months, unless the family does not want the referral made. If the family does not want the referral made, they can opt-out of the referral by signing the opt-out section of the PEA Notification/Referral form. The service coordinator explains that the family must opt-out before their child is 2 years, 8 months old.
4. The AzEIP Service Coordinator also explains to the family that an IFSP Transition Planning Meeting and a Transition Conference must occur between the child's age of 2 years, 6 months and 2 years, 9 months (and as early as 2 years, 3 months, if all parties agree) and that these meetings may be combined.

5. All families in AzEIP are offered a Transition Conference and may invite representatives of potential early childhood programs to explain their programs. If the family would like a Transition Conference, the AzEIP Service Coordinator documents the family's agreement on the IFSP, along with the requested participants.
6. An IFSP Transition Planning meeting is required for all families in AzEIP. The purpose of this is to document on the IFSP the steps and activities of transition for the child and family, to ensure the smooth transition of the family and child from AzEIP by the child's age of three years.

4.4.0 Transition Conference

4.4.1 Policy 34 C.F.R. §§303.209(d) and (e), 342(d) and (e), 343(a), and 344(h)

1. When the parent agrees to have a Transition Conference, it must occur when the child is between 2 years, 6 months and 2 years, 9 months (and at the discretion of all parties, not earlier than 2 years, 3 months) when the parent has provided approval to convene the conference.
2. The focus of the Transition Conference is to:
 - A. discuss any services the child may receive with the PEA and other early childhood programs in which the parent is interested; and
 - B. provide the parents with information about the various programs they are interested in, as well as the steps that Transition Conference attendees will take to support the parents in their decision-making, such as to make a visit to the programs.
3. The Transition Conference must be held in the native language of the family or other mode of communication, unless it is clearly not feasible to do so.
4. The AzEIP Service Coordinator is responsible for scheduling and then confirming the Transition Conference using the Invitation to Participate in a Transition Conference/IFSP Transition Planning Meeting form, and facilitating the conference. The Service Coordinator is responsible for documenting the outcome on the Transition Conference Summary Form and distributing copies to the participants.
5. The Transition Conference must be held at a time and location convenient for the family, and includes the following individuals:
 - A. the parent(s) of the child;
 - B. other family members, as requested by the parents, if feasible to do so;
 - C. an advocate or person outside of the family, if requested by the parents;
 - D. the Service Coordinator;
 - E. a person or persons directly involved in the evaluation or assessment;
 - F. the providers from the parent's IFSP team;
 - G. as requested by the parent, a PEA representative(s); and
 - H. other early childhood program representatives, as requested by the parent.

6. The AzEIP Service Coordinator must ensure that written consent to share early intervention information is obtained prior to the start of the Transition Conference so that early intervention information may be discussed during the meeting. The parent may choose to only share verbal information at the meeting, or agree to share early intervention records as well. With consent, early intervention records to be shared include all recent evaluation reports, progress updates and the most recent IFSP.
7. At the Transition Conference, the PEA Representative will:
 - A. attend the transition conference when requested by the parents;
 - B. provide information to the parent(s) about Free Appropriate Public Education (FAPE), evaluation procedures, and eligibility criteria for preschool special education services;
 - C. provide information to the parent(s) about all potential educational programs for eligible preschool children, including those programs for children with and without disabilities; and
 - D. if PEA Notification/Referral occurs during (or prior to) the Transition Conference, the AzEIP Service Coordinator will provide the Notification/Referral form to the PEA, with a copy to ADE within one business day of the referral to the PEA. The PEA representative will undertake the following activities:
 - (1) provide the parent(s) a copy of the procedural safeguards as required in Part B of the IDEA and Prior Written Notice for referral;
 - (2) If the appropriate PEA staff are at the meeting, a Review of Existing Data can be completed; otherwise the review occurs subsequently by PEA staff;
 - (3) establish tentative timelines for completing the eligibility determination and transition into the PEA, if the child is eligible;
 - (4) describe the purpose, scope, and participation in the Multidisciplinary Evaluation Team (MET)/eligibility and Individualized Education Program (IEP) meetings including a discussion of Part C members that the parent may request to attend the initial IEP, if eligible;
 - (5) explain the purpose of Extended School Year (ESY) services and the information and data needed to support the IEP team in determining eligibility for ESY services; and
 - (6) if parents are interested, work with the parent(s) and the AzEIP Service Coordinator to plan for visitations to potential preschool options, if visitations have not already occurred.
8. For children who become AzEIP eligible after the child is 2 years, 6 months, the AzEIP service coordinator begins discussions of transition as soon as possible after referral and ensures the following requirements are met:
 - A. Child eligible for AzEIP between 2 years, 6 months and 2 years, 8 months: The PEA Notification/Referral is sent to the PEA and ADE by the date the child is 2 years, 9 months, unless the parent opts out in writing before the date the child is 2 years, 8 months.

- B. Child eligible for AzEIP between 2 years, 8 months to 2 years, 9 months: The PEA Notification/Referral is sent to the PEA and ADE by the date the child is 2 years, 9 months, unless the parent opts out in writing before the child is 2 years, 9 months.
- C. Child eligible for AzEIP between 2 years, 9 months and 2 years, 10 ½ months: PEA Notification/Referral is sent to the PEA and ADE on or within one business day of the initial IFSP meeting, unless the parent opts in writing by the end of the initial IFSP meeting.

4.4.2 Procedures

1. The AzEIP Service Coordinator discusses with the family whether or not they would like to hold a Transition Conference. If they decline, the service coordinator documents this decision on the IFSP transition page and explains the required referral to the school and AzEIP's opt-out policy to the family as outlined in Section 4.3.1 above.
2. If the parent has provided approval to convene the Transition Conference, the AzEIP Service Coordinator schedules the Transition Conference to occur between the child's age of 2 years, 6 months and 2 years, 9 months (and as early as 2 years, 3 months, if all parties agree).
3. The AzEIP Service Coordinator invites meeting participants using the Invitation to Participate in a Transition Conference Summary Form. A copy of this form must be maintained in the child's records.
4. The AzEIP Service Coordinator discusses with the family the need to have written consent to share early intervention information prior to the start of the Transition Conference so that early intervention information may be verbally discussed during the meeting.
5. If the parent requests that the referral to the PEA (PEA Notification/Referral form) occur during (or prior to) the Transition Conference, the AzEIP Service Coordinator provides the PEA Notification/Referral form to the PEA representative and then sends a copy to ADE. After the referral, the PEA representative is then responsible to provide its required procedural safeguards and other information to the family to assist with the transition.
6. At the end of the Transition Conference, the AzEIP Service Coordinator summarizes the agreed upon transition steps developed to implement the transition plan on the Transition Conference Summary Form and provides a copy to the family and other Transition Conference attendees as appropriate. The AzEIP Service Coordinator maintains a copy of the Transition Conference Summary Form in the child's records.
7. In those rare instances when a PEA representative or other program representative is not able to attend the Transition Conference before the child is 2 years, 9 months, the AzEIP Service Coordinator must proceed with the Transition Conference without the

- PEA representative to ensure compliance with the federally-required timelines. The AzEIP Service Coordinator is responsible for:
- A. discussing and documenting the transition steps and services on the Transition Conference Summary Form;
 - B. providing the parent with information about the possible early childhood programs available when the child turns three years of age;
 - C. with parental consent, sending the Transition Conference Summary Form and information from the child early intervention records to those programs that the family is interested in; and
 - D. proceeding with the action steps on the Transition Conference Summary Form.
8. For children who become AzEIP eligible between 2 years, 6 months and 2 years, 9 months, the AzEIP Service Coordinator begins transition discussions with the family during the first home visit, if not sooner. Discussions include the following:
 - A. automatic referral of child and parent information to the PEA by 2 years, 9 months, unless the family opts out before 2 years, 8 months (if the child becomes AzEIP eligible between 2 years, 8 months and 2 years, 9 months, the parent has until the child is 2 years, 9 months to opt out);
 - B. Transition Conference, if the parent would like one; and
 - C. IFSP Transition Planning Meeting.
 9. The AzEIP Service Coordinator verifies the family's current address when sending the PEA Notification/Referral form to ensure information is sent to the school that is the district of residence for the family.
 10. If a referral is made to the PEA, the family may still discontinue the transition process by notifying the PEA at any time during the process.
 11. If the family opts out of the referral to the PEA (school), the AzEIP service coordinator ensures the family signs the opt-out section of the PEA Notification/Referral form. The service coordinator does not send the form to the PEA (school) or to ADE as the family has decided not to send their confidential information to the school. The form is kept in the child record, which documents the decision. If the family later changes their mind about a referral to the school, the service coordinator may use the PEA Notification/Referral and the school can see that the family originally opted out, which may explain why the referral is late to the school.
 12. The service coordinator may combine the initial IFSP meeting with the Transition Conference and the IFSP Transition Planning meeting, inviting representatives from early childhood programs to the meeting, with the family's consent. All activities for each of the meetings are explained to the family so they can determine whether they want a joint meeting.

4.5.0 IFSP Transition Planning Meeting**4.5.1 Policy 34 C.F.R. §§303.209(d) and (e), 342(d) and (e), 343(a), and 344(h)**

1. The IFSP Transition Planning Meeting is a federal requirement of all AzEIP Early Intervention Programs and may occur with the Transition Conference or on a separate date. The PEA is not required to participate in the IFSP Transition Planning meeting unless it is held with the Transition Conference.
2. AzEIP Service Coordinators ensure that an IFSP Transition Planning Meeting is held before the child is 2 years 9 months (and at the discretion of all parties, not earlier than 2 years, 3 months), to document the transition plan on the IFSP with participation of the family. This meeting must meet the following requirements for an IFSP meeting:
 - A. conducting the meeting in a place and time that is convenient for the family;
 - B. holding the meeting in the native language of the family or other mode of communication, unless it is clearly not feasible to do so;
 - C. fully explaining the IFSP to the family and obtaining appropriate consent to initiate services, if needed; and
 - D. including the required participants at the meeting: (1) the parent(s); (2) other family members as requested by the family; (3) the service coordinator; (4) a person(s) directly involved in conducting the evaluation or assessment (depending on whether it is an initial or other IFSP); and (5) person(s) who provide IFSP services. If the person involved in the evaluation or assessment is not able to make the meeting in person, arrangements must be made for the person's involvement by telephone, sending an authorized representative or making pertinent records available at the meeting.
3. The parent is always a participant in the development of the transition plan, which is documented in the IFSP and includes:
 - A. the activities and steps to support the transition of the child from AzEIP; and
 - B. any transition services that the IFSP team identifies as needed by the child and his or her family.
4. The IFSP document must contain the steps to ensure the smooth transition of the child from AzEIP, including:
 - A. discussions with, and training of, parents, as appropriate, regarding future placements/options and other matters related to the child's transition, and program options for the child and family for the period from the child's third birthday through the remainder of the school year;
 - B. activities to prepare the child for changes in service delivery, including steps to help the child adjust to and function in a new setting;
 - C. confirmation that the PEA Notification/Referral form has been sent to the PEA and ADE and, with parental consent, additional information needed by the PEA to ensure continuity of services from the AzEIP Early Intervention Program to the PEA (including a copy of the most recent evaluation and assessments of the child

- and family and most recent IFSP developed), unless the family has opted out of the PEA Notification/Referral; and
- D. identification of transition services and other activities identified by the IFSP team to support the transition of the child.

5. The IFSP Transition Planning meeting and the Transition Conference may be combined.

4.5.2 Procedures

1. Between the time when the child is 2 years, 6 months and 2 years, 9 months (and as early as 2 years 3 months, if all parties agree), the AzEIP Service Coordinator schedules a meeting with the IFSP team to complete the IFSP documentation of the plan for the child's and family's transition from early intervention.
2. The AzEIP Service Coordinator facilitates the IFSP Transition Planning, and the IFSP team develops the transition plan, which the AzEIP Service Coordinator documents on the IFSP Transition Plan and Timeline page.
3. The IFSP transition plan outlines the steps necessary to support the parents in gathering additional information about early childhood programs of interest (such as meeting with representatives of programs, visiting programs, talking to other parents, etc.), and the specific steps needed to support the child's successful transition to the program of choice (such as steps to help the child adjust to, and function in, a new setting)
4. When a parent would like the IFSP Transition Planning Meeting and the Transition Conference combined, the AzEIP Service Coordinator, with approval from the parent, invites representatives from early childhood programs the family is interested in (such as the PEA representative, Head Start, etc.) to the meeting to develop the transition plan and to fulfill the requirements of the Transition Conference.

4.6.0 Child AzEIP Eligible Between 2 years 9 months and 2 years 10 1/2 months

4.6.1 Policy - 34 C.F.R. §209(b)(ii)

1. The AzEIP Service Coordinator supports the family to transition to preschool or other appropriate services prior to the child's third birthday.
2. A Transition Conference and IFSP Transition Planning meeting are not required; however, the AzEIP Service Coordinator is responsible for assisting the family in developing a transition plan (including appropriate steps and services), which is documented in the IFSP.
3. A referral to the PEA, with a copy of the PEA Notification Referral form to ADE, is required as soon as possible after AzEIP eligibility determination, and no later than the initial IFSP meeting, unless the family opts out before then.

4. The family may opt out of the referral to the PEA no later than the initial IFSP meeting.

4.6.2 Procedures

1. The AzEIP Service Coordinator begins discussions of transition with the family as soon as possible after referral, including a discussion of the automatic referral to the PEA, the family's right to opt out of the referral to the PEA, and the early childhood program options when the child is three years of age.
2. With consent from the family, the service coordinator may invite representatives from the program(s) in which the family is interested to the initial IFSP meeting.
3. The AzEIP service coordinator develops the transition plan, which includes assisting the family in learning about the early childhood options available and assisting with transition to those programs. Transition steps and services are documented on the IFSP.
4. If the family has not opted out on or before the initial IFSP meeting, the AzEIP Service Coordinator provides the referral to the PEA with a copy to ADE using the PEA Notification/Referral form at the initial IFSP meeting. If the PEA representative does not attend the initial IFSP meeting, then the referral must be sent by the close of the next business day.

4.7.0 Child AzEIP Eligible Between 2 years, 10 1/2 months and 3 years

4.7.1 Policy

1. The AzEIP Service Coordinator is responsible to assist the family with transition before the child turns three years of age.
2. A Transition Conference, IFSP Transition Planning Meeting, and a referral to the PEA and ADE using the PEA Notification/Referral are not required.
3. While an official referral to the school is not required, if the family is interested in preschool special education services, then the service coordinator helps to facilitate the referral as soon as possible.

4.7.2 Procedures

1. The AzEIP Service Coordinator assists the family either by (1) making a referral to the school after obtaining the parent's written consent or (2) providing the parent with the contact information for the school. ,

4.8.0 Child Referred Between 2 years 10 1/2 months and 3 years

4.8.1 Policy - 34 CFR 303.209(b)(1)(iii)

1. An evaluation, assessment and initial IFSP are not required for children who are referred to AzEIP between 2 years 10 1/2 months and 3 years.

2. The AzEIP Service Coordinator or the Central Referral System, with parental consent, will refer children who are referred to AzEIP between 2 years and 10 ½ months and 3 years, and who may be eligible for preschool special education services, to the school.

4.8.2 Procedures

1. The AzEIP Service Coordinator or Central Referral System assists the family either by (1) making a referral to the school after obtaining the parent's written consent or, (2) providing the parent with the contact information for the school, if they choose not to provide consent to make the referral.

4.9.0 Preschool Special Education Services

4.9.1 Policy

1. When a parent is interested in determining whether their child is eligible for preschool special education services, the AzEIP Service Coordinator and the PEA coordinate so that the school can implement the procedures and requirements under IDEA, Part B and Arizona law.
2. The AzEIP Service Coordinator is responsible for sharing information with the PEA, with the family's consent, and attending the Multidisciplinary Evaluation Team (MET) Eligibility Conference and the Individualized Education Program, at the parent's request. The family may also request another IFSP team member to attend these events.

4.9.2 Procedures

1. The AzEIP Service Coordinator coordinates with the PEA and other early childhood programs that the family is interested in to facilitate the transition meetings, including, if the parent does not opt out, a referral to the PEA.
2. The AzEIP Service Coordinator or another IFSP team member attends MET and the IEP conference at the request of the parent and provides information and data to assist the IEP Team in developing the IEP, including consideration of the need for ESY services.

5.0.0 Definitions

5.0.1 Policy

1. AzEIP Early Intervention Programs are those entities designated by DES/AzEIP to provide early intervention services in a specified region. See Chapter 2 of AzEIP Policies and Procedures, *General Supervision*, for specific, regional early intervention programs.
2. AzEIP Statement of Child's Present Levels of Development (also called the AzEIP Summary of Development) is a component of the IFSP, meets the requirements of 34 C.F.R. §303.344 that provides a comprehensive, integrated developmental summary of the child's ability to: 1) engage or participate in social relationships; 2) acquire and use knowledge and skills; and, 3) be independent within the family's routines and activities. The AzEIP Summary of Development documents functional information

- synthesized from multiple sources, such as parent report, observation, and/or criterion-referenced assessment.
3. Educational Programs and Other Appropriate Services are the range of settings and services in which a preschool-aged child might participate after transition from early intervention. Examples include preschool special education services, Head Start programs, and private preschools. The AzEIP Service Coordinator and other IFSP team members must discuss all educational options in the community with the family during the IFSP planning meeting closest to, but not before the child's second birthday, at which the transition plan is developed.
 4. Eligibility Criteria for Part B Preschool Special Education Services, in accordance with A.R.S. § 15-761, et seq.:
 - A. Developmental Delay (DD) means performance by a child who is at least three years of age, but under ten years of age, on a norm-referenced test that measures at least one and one-half, but not more than three, standard deviations below the mean for children of the same chronological age in two or more of the following areas:
 - (1) Cognitive development.
 - (2) Physical development.
 - (3) Communication development.
 - (4) Social or emotional development.
 - (5) Adaptive development.

The results of the norm-referenced measure must be corroborated by information from a comprehensive development assessment and from parental input, if available, as measured by a judgment based assessment or survey. If there is a discrepancy between the measures, the evaluation team shall determine eligibility based on a preponderance of the information presented.
 - B. Hearing Impairment (HI) means a loss of hearing acuity, as determined by evaluation pursuant to A.R.S. §15-766, which interferes with the child's performance in the educational environment and requires the provision of special education and related services.
 - C. Preschool Severe Delay (PSD) means performance by a preschool child on a norm-referenced test that measures more than three standard deviations below the mean for children of the same chronological age in one or more of the following areas:
 - (1) Cognitive development.
 - (2) Physical development.
 - (3) Communication development.
 - (4) Social or emotional development.
 - (5) Adaptive development.

The results of the norm-referenced measure must be corroborated by information from a comprehensive developmental assessment and from parental input, if available, as measured by a judgment based assessment or survey. If there is a discrepancy between the measures, the evaluation team shall determine eligibility based on a preponderance of the information presented.

- D. Speech/Language Impairment (SLI) for a preschool child means performance on a norm-referenced language test that measures at least one and one-half standard deviations below the mean for children of the same chronological age or whose speech, out of context, is unintelligible to a listener who is unfamiliar with the child. Eligibility for a preschool child under this subdivision is appropriate only when a comprehensive developmental assessment and parent input indicate that the preschool child is not eligible for services under another preschool category or under the developmental delay category.
 - E. Visual Impairment (VI), including blindness, means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.
5. Evaluation:
- A. PART C: Evaluation for children aged birth through two years means the procedures, in accordance with 34 C.F.R. §303.321, used by appropriate, qualified personnel to determine a child's initial and continuing eligibility for AzEIP, including determining the status of the child in each of the developmental areas. A child may also be determined eligible for AzEIP based on an established condition or when records confirm a developmental delay consistent with AzEIP eligibility criteria. For all eligible children, a multidisciplinary assessment is required covering all areas of development.
 - B. PART B: Evaluation for children ages three to five years, evaluation means procedures used in accordance with 34 C.F.R. §§300.300-300.306 to determine whether a child has a disability and is in need of special education services and the nature and extent of special education and related services that the child needs in accordance with 34 C.F.R. §300.306. This evaluation includes: (a) a review of existing information about the child; (b) a decision regarding the need for additional information; (c) if necessary, the collection of additional information; and (d) a review of all information about the child and a determination of eligibility for special education services and needs of the child. A.A.C. R7-2-401 (B)(13).

A Comprehensive Developmental Assessment (CDA) is a full and individual evaluation of the child in all developmental areas: cognitive, physical (including vision and hearing screening), communication, social/emotional and adaptive development. A CDA may be accomplished through a review of existing data, criterion referenced assessments, norm-referenced assessments, observation and parent input, however, for the purpose of determining eligibility, at least one

norm-referenced assessment to obtain standard deviation information must be used to determine if eligibility criteria is met. A (CDA) is required to determine eligibility for Preschool Severe Delay (PSD), Developmental Delay (DD) and Speech Language Impaired (SLI). The final responsibility for the CDA and eligibility lies with the PEA.

6. Extended School Year (ESY) Services means additional special education and related services for students with disabilities to supplement the normal school year, for the purpose of preventing loss of a free appropriate public education (FAPE), and loss of meaningful educational benefit gained from the previous year(s) as defined in A.R.S. §15-881 and A.A.C. R7-2-408. ESY services, which meet the standard of ADE, are provided to a Part B eligible child with a disability beyond the normal school year of the public education agency, in accordance with the child's IEP, at no cost to the parents of the child. Eligibility for ESY services shall be determined by the IEP team based on the standards indicated in A.R.S. §15-881 and A.A.C. R7-2-408. Eligibility for ESY services shall be based on a multifaceted inquiry, using both retrospective and predictive data. Eligibility for participation shall not be based on need or desire for any of the following: (1) a day care or respite care service for students with a disability; (2) a program to maximize the academic potential of a student with a disability; or (3) a summer recreation program for students with a disability. The availability of extended school year services is required for all students for whom the IEP team has determined that it is necessary in order to ensure FAPE.
7. Free Appropriate Public Education (FAPE) in accordance with 34 C.F.R. §300.101 means special education and related services that meet state standards and are provided based upon an IEP. These services are provided at public expense under public supervision and direction, without charge to the parents and must be provided in the least restrictive environment (LRE) in accordance with 34 C.F.R. §300.114.
8. Individualized Education Program (IEP) means a written statement, developed, reviewed, or revised in accordance with applicable federal and state laws for providing special education services to each eligible child with a disability that includes a statement of: a) the child's present levels of academic achievement and functional performance, including how the disability affects the preschool child's participation in appropriate activities; b) measurable annual goals, including academic and functional goals c) a description of how the child's progress toward meeting the annual goals will be measured; (d) a statement of the special educational and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child to advance appropriately toward attaining the annual goals and to be involved in and make progress in the general curriculum; e) an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class; f) the projected dates, duration and location for service; and g) a statement of how the parents will be informed of their child's

- progress. 20 U.S.C. §1401(14); 34 C.F.R. §300.320; A.R.S. §15-761(11); A.A.C. R7-2-401G.
9. IEP Conference is a meeting to occur by the eligible child's third birthday to determine appropriate programming. Required participants are the individuals described in 9. and at the discretion of the parent, other individuals who have knowledge or special expertise regarding the child (e.g., AzEIP Service Coordinator), including related services personnel as appropriate 20 U.S.C. §1414(d)(1)(D); C.F.R. §§300.321(f).
10. The IEP team includes, in accordance with 34 C.F.R. §300.321:
- A. The parent(s) of the child;
 - B. at least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
 - C. at least one special education teacher of the child, or if appropriate, at least one special education provider of the child;
 - D. a representative of the public agency who:
 - (1) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - (2) Is knowledgeable about the general curriculum; and
 - (3) Is knowledgeable about the availability of resources of the public agency;
 - E. an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in paragraphs (a)(2) through (6) of 34 C.F.R. §333.321; and
 - F. at the discretion of the parent or PEA, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate.
12. IFSP Transition Planning Meeting meets the requirements of 34 C.F.R. §303.209(d) is a meeting held before the child is 2 years, 9 months, (and at the discretion of all parties, no earlier than 2 years, 3 months) to develop and document the transition plan on the IFSP with the family. This meeting must meet specific requirements for an IFSP meeting, including conducting the meeting in a place and time that is convenient for the family and holding the meeting in the native language of the family or other mode of communication, unless it is clearly not feasible to do so. This meeting may be combined with the Transition Conference according to 34 C.F.R. §303.209(e).
11. Multidisciplinary Evaluation Team in IDEA, Part B means, in accordance with A.R.S. §15-761(16), a team of persons including individuals described as the IEP team and other qualified professionals who shall determine whether a child is eligible for special education.
12. Multidisciplinary Evaluation Team (MET)/Eligibility Conference is a **required** meeting to occur by the child's third birthday to determine if the child is eligible and/or continues to be eligible for special education. Required participants are the individuals described in 11. Including, by parent request, the AzEIP Service

Coordinator and a provider from the family's IFSP team as individuals with knowledge or special expertise regarding the child in accordance with 34 C.F.R. §300.306. This conference can be held at the same time as the IEP Conference.

13. Notification to the Public Education Agency (also called PEA Notification/Referral) is the AzEIP service coordinator's responsibility to notify the PEA (i.e., make a referral to the PEA) where the child with a disability lives and ADE that the child will shortly reach the age of eligibility for Part B services and is potentially eligible for Part B services according to 34 C.F.R. §303.209(b). The PEA Notification/Referral must include (a) the child's name; (b) date of birth; and (c) parent contact information, (including names, addresses and telephone numbers). The PEA notification also includes the Service Coordinator's name and contact information, and the language(s) spoken by the child and family.

PEA Notification does not require parental consent; however, parents have the opportunity to opt out of PEA Notification. The PEA Notification/Referral form must be sent to the PEA and ADE on or before the child is 2 years, 9 months for all children eligible for AzEIP before 2 years, 9 months, unless the parent has opted out in writing on the form. The parent must opt out before 2 years, 8 months for all children eligible before 2 years, 8 months and before 2 years, 9 months, for all children eligible for AzEIP between 2 years, 8 months and 2 years, 9 months. For children eligible for AzEIP after 2 years, 9 months, the opt-out deadline is on or before the initial IFSP meeting.

The PEA Notification must be treated as an initial referral to the public education agency for consideration of eligibility for preschool special education services. It initiates the PEA's requirement to provide Procedural Safeguards and Prior Written Notice under 34 C.F.R. §300.503 and §300.504(a)(1). The PEA notification must be provided to the PEA designated as district of residence.

14. Opt-Out, as authorized by 34 C.F.R. §303.209(b)(2), means that a parent, after being informed of AzEIP's intent to disclose Notification to the Public Education Agency (also known as PEA Notification/Referral) may object in writing to the disclosure by the date on which their child is 2 years, 8 months of age (For children eligible for AzEIP between 2 years, 8 months and 2 years, 9 months, the opt-out deadline is before the child is 2 years, 9 months. For children eligible for AzEIP after 2 years, 9 months, the opt-out deadline is on or before the initial IFSP meeting).

The parent must be informed of AzEIP's intent to disclose PEA Notification information during the IFSP meeting near the child's second birthday, or the initial IFSP meeting, if eligible after the child is two years old. The parent must object in writing using the Opt-Out section of the PEA Notification/Referral form. PEA notification will occur in the absence of parent objection.

15. Potentially eligible child under IDEA, Part B means a child who is eligible for AzEIP when the child is two years of age or older.

16. Public Education Agency (PEA) means a school district, charter school, accommodation school, state supported institution or other political subdivision of the state that is responsible for providing education to children with disabilities.
17. Transition Planning Data will be provided to the PEA twice a year to assist the PEA with planning capacity and resources for future preschool referrals and will consist of the number of children currently within the AzEIP system that may potentially transition to the district.
18. Transition Conference is a meeting arranged and facilitated by the AzEIP Service Coordinator and includes those early childhood programs in which the family has an interest, such as the PEA, Head Start, and/or private preschool. In accordance with 34 C.F.R. §303.209(c), The Transition Conference will occur between the time the child is 2 years, 6 months and 2 years, 9 months (or as early as 2 years, 3 months, if all parties agree). The purpose of the Transition Conference is to ensure the following steps are taken:
 - A. review the potential program options/continuum of services available on the child's third birthday;
 - B. establish tentative timelines and activities for the child's transition into the PEA, if eligible;
 - C. establish a plan for parental visitation to the educational programs available (if not already completed);
 - D. review existing data, including vision and hearing screening information; and
 - E. plan for the collection of additional information, including evaluation and procedures to assist in determining eligibility for Part B and appropriate IEP services, including ESY.

The Transition Conference may occur, but is not required to, as part of the IFSP Transition Planning Meeting, during which the transition plan is developed. The Transition Conference must meet the requirements for an IFSP meeting and additionally includes a PEA or other early childhood representative as requested by the Parent.

5.1.0 Dispute Resolution between AzEIP and PEAs

5.1.1 Policy

1. If a parent, PEA, AzEIP Service Coordinator or other interested individual believes that a PEA or an AzEIP Service Providing Agency is not fulfilling its obligations under the law and policies for transition children from AzEIP to preschool special education services, that individual may take one or both of the following steps:
 - A. seek technical assistance from AzEIP or ADE by providing a Transition Alert (AzEIP Service Providing Agencies contact DES/AzEIP and PEAs contact ADE with concerns). Technical assistance may be obtained by writing or calling DES/AzEIP or ADE. See B. below for contact information.

- B. file a Complaint with DES or ADE. DES and ADE have each established complaint and dispute resolution procedures in order to comply with, respectively, Part C and Part B of the IDEA. Information about the available complaint and dispute resolution procedures may be obtained as follows:
- Arizona Department of Economic Security
Arizona Early Intervention Program
3839 North Third Street, Suite 304
Phoenix, Arizona 85012
(602) 532-9960
Email: AllAzEIP2@azdes.gov
- Arizona Department of Education
Early Childhood Special Education Unit
1535 West Jefferson Street BIN 24
Phoenix, Arizona 85007
(602) 364-1530
Email: www.azed.gov/special-education/dispute/
2. ADE will provide to DES a copy of all Letters of Findings for complaint investigations filed under Part B of the IDEA relating to transition services within 30 days of issuance. DES will provide to ADE a copy of all Letters of Findings for complaint investigations filed under Part C of the IDEA relating to transition services within 30 days of issuance.
 3. The ADE and DES strongly encourage PEAs and AzEIP Service Providing Agencies to meet at least annually to develop and review written transition processes that are mutually agreeable and identify and resolve transition issues in accordance with this Agreement and with A.A.C. R7-2-401(J).